

Wood v. Grundy, 3 H. & J. 19. In other respects the amendment must be made in the Court below, and a judgment of reversal of the Court of Appeals has been stricken out, on it appearing by a certificate, as it is said, *during the same term*, that there was a material error in the record, and a writ of diminution was ordered that the Clerk might correct the mistake; but the appellant's \*counsel consenting that the amendment might be made the judgment was affirmed. Raborg v. Bank of Columbia, 1 H. & G. 239, n. It has been determined that the power of amendment is within the discretion of the inferior Court, and no appeal will lie from its order therein, Ellicott v. Eustace, 6 Md. 506; Greeff v. Fickey *supra*.<sup>34</sup> Finally, except as above stated, no costs are payable on amending clerical errors, Tite v. Bishop of Winchester, 1 Ld. Raym. 94.

<sup>34</sup> Anderson v. Stewart, 108 Md. 340; Booth v. Callahan, 97 Md. 317; Horner v. Plumley, 97 Md. 279; Hearn v. Quillen, 94 Md. 39; Applier v. Merryman, 91 Md. 708; Thillman v. Neal, 88 Md. 525; Staley v. Thomas, 68 Md. 439; Thorne v. Fox, 67 Md. 67; Griffiee v. Mann, 62 Md. 248; Scarlett v. Academy, 43 Md. 208; Deford v. State, 30 Md. 179.

## CAP. XV.

The Justices may in certain Cases amend Defaults in Records.

*Item*, it is ordained and established, That the King's Justices, before whom any Misprision or Default is or shall be found, be it in any Records and Processes which now be, or shall be depending before them, as well by way of Error as otherwise, or in the Returns of the same, made or to be made by Sheriffs, Coroners, Bailiffs of Franchises, or any other, by Misprision of the Clerks of any of the said Courts of the King, or by Misprision of the Sheriffs, Under-sheriffs, Coroners, their Clerks, or other Officers Clerks, or other Ministers whatsoever, in writing (21)

Item ordeigne est & establie  
que les justices du roy devant  
queux ascune mesprision ou  
defaute soit ou serra trove soit  
il en ascun recordes & pro-  
cesses qore sount ou serrount  
pendantz devant eux sibien  
par voie derroure come autre-  
ment ou en lez retournez dicel-  
les faitz ou affairez par vis-  
countz coroners baillifs des  
fraunchises ou autres qeconqes  
par mesprision des clerks das-  
cuns des ditz courtz du roi ou  
par mesprision des viscountz  
soutzviscountz coroners lour  
clerks ou autres officers clerks  
ou ministres qeconqes en es-  
crivant un lettre ou un silable